

CITY OF THOUSAND OAKS

PLANNING COMMISSION

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF THOUSAND OAKS APPROVING A
DEVELOPMENT PERMIT, SPECIAL USE PERMIT,
AND PROTECTED TREE PERMIT FOR THE USE OF
CERTAIN PROPERTY WITHIN SAID CITY

Application No. DP 2023-70021, SUP 2023-70018, PTP 2024-70020

Applicant(s): Pavel Getov, Studio Antares Inc.
Derek Reynolds, Truck Stop Holdings, LLC

Location: 880 South Westlake Boulevard (APN: 6930130315)

The Planning Commission of the City of Thousand Oaks, California, DOES
RESOLVE AS FOLLOWS:

SECTION 1

WHEREAS, the applicant has filed with this Commission a petition under the provisions of the City of Thousand Oaks Municipal Code requesting the following associated with a new outdoor venue located at 880 South Westlake Boulevard:

1. Development Permit (DP) 2023-70021: To allow the elimination of 86 parking spaces and the development of an outdoor venue with two bars, a stage, portable restroom trailers, and space for three food trucks. Other improvements include fire pits, an outdoor game area, tables and seating, and temporary pop-up retail spaces.

As part of the DP, the applicant requests one (1) Waiver of the Thousand Oaks Municipal Code (TOMC) to allow for an 81' setback distance from the centerline of the 101 southbound on-ramp as otherwise required to be 100' by TOMC Section 9-4.1504 (d).

2. Special Use Permit (SUP) 2023-70018: To allow for the sale and consumption of beer, wine, and distilled spirits with food service and live entertainment on the premises Monday through Tuesday 11:00 am to 11:00 pm (private events only) Wednesday through Thursday from 4:00 pm to 11:00 pm, Friday from 11:00 am to 11:00 pm, and Saturday through Sunday from 9:00 am to 11:00 pm.
3. Protected Tree Permit (PTP) 2024-70020: To allow pruning of two oak trees (*Quercus lobata*) located at the entrance of the project site and the installation of protective fencing during the construction of the project.

WHEREAS, on October 11, 2023, a Notice of Application was mailed to all property owners and occupants within a 500-foot radius of the subject property;

WHEREAS, on October 11, 2023, a Notice of Application sign was posted on the subject property;

WHEREAS, on May 22, 2024, Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Thousand Oaks and was mailed to all property owners and occupants within a 500-foot radius of the subject property;

WHEREAS, the Planning Commission, upon giving the required notice, did, on the 17th day of June 2024, conduct a duly advertised public hearing as prescribed by law to consider said application; and

WHEREAS, at the June 17, 2024, Planning Commission public hearing, oral and written evidence, including a staff report, were presented and received, and arguments were heard from all interested parties appearing in the matter; and

SECTION 2

WHEREAS, the findings of the Planning Commission supporting approval of DP 2023-70021 is based upon the following findings:

1. *The project is consistent with the Thousand Oaks General Plan and any applicable specific plan or redevelopment plan (TOMC Section 9-4.2803(c)(1)).*

The City of Thousand Oaks General Plan land use designation for the subject parcel is “Commercial Regional” and has a corresponding zoning designation of Commercial (C-4). The subject parcel is not regulated by any additional specific plan or redevelopment plan. The project consists of the construction of an outdoor venue with two bars, a stage, portable bathrooms, a trash enclosure, and seating.

The project is consistent with the goals and policies of the General Plan, including Goal LU-7, and policies 7.1 – 7.7:

- **Goals:**
 - *Redevelop underperforming commercial areas to support a thriving local economy.*
- **Policies**
 - *Redevelopment of declining centers*
 - *Encourage redevelopment of vacant and underutilized properties, including declining shopping centers, to become high-performing commercial and service areas.*
 - *Flexible commercial uses*
 - *Encourage flexibility in building design to allow for uses and programs to evolve and adapt to the fast-paced changes of the retail industry.*
 - *Retail connectivity to neighborhoods*
 - *Support retail development that incorporates pedestrian connectivity to surrounding neighborhoods.*
 - *Visitor-serving uses*
 - *Encourage hotels, restaurants, commercial entertainment and other visitor-serving uses. Allow these uses in all areas designated as Commercial Town and Commercial Regional.*
 - *Gathering Spaces*
 - *Promote new public gathering places in shopping centers, such as plazas or courtyards.*
 - *Bicycle and pedestrian connections*
 - *Improve pedestrian and bicycle connections within one mile of commercial areas and neighborhoods. Improvements could include new pedestrian connections through cul-de-sacs, upgraded pedestrian crossings, the addition of bicycle facilities, such as bike paths or separated bike lanes and bicycle parking.*

The project is consistent with the above goals and policies because it is a commercial use within a commercial area, is located within a district that has other commercial uses and is on a site that is accessible by multi-modal transportation, including bicycles and pedestrians. The project rethinks an underutilized parking lot to create a public gathering space that will attract local residents, hotel guests, as well as employees at neighboring businesses. The application includes ADA accessibility, bicycle racks, and pedestrian connectivity from Westlake Boulevard. The repurposing of shipping containers for the bars and a truck bed for the stage are reflective of flexibility in building design. Therefore, this project complies with all applicable General Plan goals and policies.

2. *The project complies with all applicable laws, regulations and policies, including the Thousand Oaks Municipal Code (TOMC Section 9-4.1504).*

The outdoor venue complies with all applicable laws, regulations, and policies, including the Thousand Oaks Municipal Code (TOMC), and meets all applicable development standards for the zone (i.e. setbacks, parking, landscaping), except for the setback distance at the north property line, for which a waiver is being sought. Staff is supportive of the waiver because the project site is set in a basin-like area that naturally screens the project from public view. The proposed structure within the side yard setback includes a stage that is made from a truck bed on wheels and is not fixed in place, which can be moved or removed easily.

A waiver is granted to allow a decreased setback distance of 81' from the 100' requirement of the TOMC. The proposed structure within the setback is for the stage (81' from the centerline)

Additionally, the project has also been reviewed by other City departments and agencies for conformance with applicable laws, regulations, and policies, and provided appropriate conditions of approval. Therefore, the project complies with all applicable laws, regulations, and policies.

3. *The project will not be detrimental to the public health, safety or general welfare (TOMC Section 9-4.2803(c)(3)).*

The project will not be detrimental to public health, safety, or general welfare because the project has been reviewed and approved by the Community Development Department, Public Works Department, Police Department, and the Ventura County Fire Department (VCFD). With the incorporation of the conditions set forth by these departments and agencies, the project will not be detrimental to public health, safety, or general welfare as the granting of this permit.

4. *The project has been reviewed in conformance with the provisions of the California Environmental Quality Act (TOMC Section 9-4.2803(c)(4)).*

The project is eligible for a Class 1 Categorical Exemption, Existing Facilities (Sec. 15301) and Class 3 Categorical Exemption, New Construction or Conversion of Small Structures (Sec. 15303). The proposed project consists of a new outdoor venue with accessory structures to be located in a previously disturbed area and will not have any environmental impacts. The land use for outdoor eating, drinking, and entertainment is consistent with the current hotel property in the C-4 zoning.

SECTION 3

WHEREAS, the finding of the Planning Commission supporting approval of SUP 2023-70018 is based upon the following:

1. *The project is consistent with the Thousand Oaks General Plan and any applicable specific plan or redevelopment plan (TOMC Section 9-4.2803(c)(1)).*

The project is consistent with the Thousand Oaks General Plan because food service establishments with alcohol are allowed in the C-4 zoning district with the approval of a Special Use Permit. The outdoor venue will be constructed within Hyatt owned parcel that is within the Commercial (C-4) zone, and the site is designated as "Commercial Regional" under the Land Use Element of the General Plan. Therefore, the project is consistent with the goals and policies of the City's General Plan.

2. *The project complies with all applicable laws, regulations and policies, including the Thousand Oaks Municipal Code (TOMC Section 9-4.2803(c)(2)).*

With the implementation of the suggested conditions, the project will satisfy all applicable laws, regulations, and policies, including the Thousand Oaks Municipal Code.

The project has also been reviewed by other City departments and agencies for conformance with applicable laws, regulations, and policies, and provided appropriate conditions of approval. Additionally, the venue must obtain and maintain an alcohol license from the California Department of Alcoholic Beverage Control. Therefore, the restaurant and on-site sale and consumption of alcoholic beverages complies with all applicable laws, regulations, and policies.

3. *The project will not be detrimental to the public health, safety or general welfare (TOMC Section 9-4.2803(c)(3)).*

The project will not be detrimental to public health, safety or general welfare because the venue use will only occur during operation hours and the Police Department has reviewed the request and finds it to be acceptable, subject to conditions of approval. Additionally, the venue must obtain and maintain an alcohol license from the California Department of Alcoholic Beverage Control.

4. *The project has been reviewed in conformance with the provisions of the California Environmental Quality Act (TOMC Section 9-4.2803(c)(4)).*

The project is eligible for a Class 1 Categorical Exemption, Existing Facilities (Sec. 15301) and Class 3 Categorical Exemption, New Construction or Conversion of Small Structures (Sec. 15303). The proposed project consists of a new outdoor venue accessory structure to be located on previously disturbed area and will not have any environmental impacts. The land use for an outdoor eating, drinking, and entertainment is consistent with the current hotel property in the C-4 zoning.

5. *The proposed use at the proposed location will be compatible with land uses in the vicinity (TOMC Section 9-4.2803(c)(5)).*

The restaurant use at the project site will be compatible with land uses in the vicinity that are predominantly commercial uses, including an existing restaurant located within the Hyatt Regency Hotel. Conversely, as the venue will be open to the public it is anticipated to be an amenity to those living in the adjacent residential development and those working in the adjacent industrial and commercial developments. Therefore, the project will be compatible with the land uses in the vicinity.

SECTION 4

WHEREAS, the findings of the Planning Commission supporting approval of PTP 2024-70020 is based upon the following findings (TOMC Section 9-4.4206(b) and 9-4.4305(b)):

1. *The condition or location of the oak trees requires cutting to maintain or aid its health, balance, structure, or to maintain adequate clearance from existing structures.*
2. *The condition of the tree(s) with respect to disease, danger of falling, proximity to existing structures, high pedestrian traffic areas such as parking lots, pedestrian walkways, interference with utility services, or is causing or is likely to cause substantial property damage based on sufficient evidence and/or documentation and said damage cannot be controlled or remedied through reasonable preservation and/or preventive procedures and practices.*
3. *A permit may be approved when necessary to remove, relocate, cut or encroach into the protected zone of an oak tree to enable the reasonable and conforming use of the subject property, which is otherwise prevented by the presence of the tree. Reasonable use of the property shall be determined in accordance with the Oak Tree Preservation and Protection Guidelines.*

Approval of the request is not contrary to or in conflict with the general purpose and intent of this chapter.

NOW, THEREFORE, BE IT RESOLVED that based on substantial evidence contained within the record, the analysis in the agenda report, and the findings of fact the Planning Commission approves said applications for a Development Permit, Special Use Permit, and Protected Tree Permit, subject to conformance with the conditions set forth and attached hereto and made a part hereof. Except as otherwise expressly indicated, said conditions shall be fully performed and completed, or at the City's discretion, shall be secured by bank or cash deposit or other security satisfactory to the City Attorney before the use or occupancy of the

property is commenced and before a Certificate of Occupancy is issued. The violation of any of the conditions of said permits shall be grounds for revocation by the Planning Commission or City Council.

I HEREBY CERTIFY that the foregoing resolution reflects action taken by the Planning Commission of the City of Thousand Oaks at a regular meeting held on the 17th day of June 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Don Lanson, Chair
Planning Commission

Fabiola Zelaya-Melicher, Secretary
Planning Commission

CONDITIONS OF APPROVAL
DP-2023-70021, SUP-2023-70018, and PTP-2024-70020

COMMUNITY DEVELOPMENT DEPARTMENT

1. **Land and Application** – The Development Permit; Special Use Permit; and Protected Tree Permit are adopted, granted or accepted for the land described in the application, any attachment thereto, and as shown on the submitted “Project Plan Set,” dated June 4, 2024, attachment to the Planning Commission staff report dated June 17, 2024.
2. **Scope of Permit Approval** – A Development Permit allowing the construction of an outdoor venue, a Special Use Permit for live music and alcoholic beverages on site, and a Protected Tree Permit for the pruning of two protected trees, as shown on project plans labeled “Project Plan Set,” dated June 4, 2024, unless conditioned otherwise herein.
3. **Approval Period/Use Inauguration** – The Development Permit approval is granted for a one-year (1) period of time beginning on the approval date, at which time said permit shall expire unless the use authorized herein has been inaugurated in accordance with Section 9-4.2812(c) of the Thousand Oaks Municipal Code. The applicant may request time extensions of this period as permissible by Section 9-4.2812(e) of the Thousand Oaks Municipal Code by filing a Minor Modification application prior to the expiration date.
4. **Compliance with Applicable Laws, Rules, and Regulations** – The applicant shall at all times comply with any and all local, city, county, state and federal laws, regulations and orders now in effect or which may hereafter be enacted pertaining to the approved modification or affecting the installation, operation or maintenance of the industrial establishment.
5. **Regulatory Agency Approval** – The requirements of all applicable regulatory agencies shall be met, and approval obtained, prior to gas release. Copies of all required licenses shall be submitted to the Community Development Department.
6. **Payment of Fees** – Approval is subject to the applicant paying all fees and assessments to the City of Thousand Oaks, as required by the Municipal Code and established by City Council.

COMMUNITY DEVELOPMENT DEPARTMENT CONDITIONS OF APPROVAL FOR
DP-2023-70021, SUP-2023-70018, AND PTP-2024-70020

7. **Condition Compliance** – All development on the subject property shall be constructed and thereafter maintained in accordance with the conditions of this permit.
8. **Project Changes/Modifications** – Any minor change to DP-2023-70021 and SUP-2023-70018 may be approved by the Community Development Department through the appropriate entitlement process.
9. **Unauthorized Changes** – The applicant acknowledges that all aspects of the project, including but not limited to, the exterior treatment, location of structures and architectural features of the development are of special concern to, and regulated by, the City of Thousand Oaks, which has established criteria and standards concerning development within the City. Any substantial change, modification, or alteration to the architectural design, or in the exterior treatment of any building and structure, including building colors, materials, changes in walkways, doorway, window locations, or in the parking, landscaping and other related features, must first be approved by the City of Thousand Oaks prior to performing the work. Unauthorized change(s) or failure to comply with the conditions of this permit may require future corrective work and result in a City Code violation and appropriate action.
10. **Indemnification** – The applicant agrees to defend, indemnify and hold harmless the City, its agents, officials, and employees from any claim, action or proceeding against the City or its agents, officials or employees to attack, set aside, void or annul an approval of the City subject to, and to the extent set forth in, the Disposition and Development Agreement. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate fully in the defense.
11. **Signed Acceptance of Conditions** – A signed Acceptance of Conditions affidavit shall be executed by the applicant and property owner, or his duly authorized representative, and shall be returned to the Community Development Department prior to the issuance of a building permit.

SETBACKS, HEIGHTS, BUILDING MATERIALS, OPEN SPACE,
ARCHITECTURAL TREATMENT

12. **Setback standards** – All development standards shall be satisfied to include the following per the submitted plan:

COMMUNITY DEVELOPMENT DEPARTMENT CONDITIONS OF APPROVAL FOR
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Development Standards - Setbacks		
Yard	Required	Provided
Front	100 ft. from centerline of street	Yes, the closest proposed structure is 179 ft. from the centerline of Westlake Boulevard.
Rear	None, unless abutting to R Zone	Yes, the project site does not abut to R Zone properties.
Side Yard Interior	None, unless abutting to R Zone	Yes, the project site does not abut to R Zone properties.
Side Yard Corner	100 ft. from centerline of street	No, the project requests a waiver to allow for the closest distance to be 81 ft. from a structure to the centerline of the 101-ramp entrance.

13. **Architectural Building Design** – The architectural design shall comply with the building plans as shown in the attachments labeled “Project Plan Set,” dated June 4, 2024, to the Planning Commission staff report dated June 17, 2024.
14. **Exterior Building Colors/Materials** – All exterior materials and colors depicted on the attachments labeled “Project Plan Set” dated June 4, 2024, to the Planning Commission staff report dated June 17, 2024, are approved in concept only. Prior to the issuance of a grading permit, a final color and materials sample board, including, but not limited to, specific materials and paint manufacturer colors, shall be submitted for the review and approval by the Community Development Department. The applicant shall indicate the type of finish on the revised plans and materials and colors sample board.
15. **Building Height** – The maximum building height may not exceed 17’, as shown in the exhibits labeled “Project Plan Set,” dated June 4, 2024.
16. **Surface-Mounted Mechanical Equipment** – All surface-mounted mechanical equipment, including transformers, terminal boxes or meter cabinets, shall be screened by landscaping or decorative enclosure to match the materials and colors of the new building.
17. **Backflow Device** – Any proposed backflow device shall be screened from public view, subject to review and approval by the Community Development and Public Works Departments.

18. **Utilities** – Utility service lines shall be placed underground unless a written determination of infeasibility is obtained from the Community Development Director. The Permittee shall indicate on the grading and construction plans the location of utilities and point of connection(s), and a note stating the utilities will be undergrounded.

PARKING, ACCESS, AND DRIVEWAY

19. **Required Parking** – A minimum of 381 parking spaces shall be provided as shown on site within “Project Plan Set,” dated June 4, 2024, with 1,059 spaces designated as surplus parking per the recorded shared parking agreement. All parking spaces and driveway aisles shall be designed in accordance with Section 9.4-2404 of the Municipal Code. Any minor change to parking or future development on the subject property shall be reviewed and approved by the Community Development Department, including any changes to the shared parking arrangements. Any substantial change may require the filing of a modification application to be considered by the Planning Commission.
20. **Parking Stall Dimensions** – The dimensions and design of all parking stalls shall be installed as required by the Thousand Oaks Municipal Code.
21. **Driveway** – All driveway areas shall be limited to a maximum fifteen percent (15%) grade and shall be constructed in accordance with Section 9-4.2404(c)(1)(iv) of the Thousand Oaks Municipal Code and Plate 6-1 of the City’s Road Improvement Standards regarding grade transitions. The design of the driveway and transitions are subject to review and approval by the Community Development and Public Works Departments.
22. **On-Site Traffic Control and Calming** – Prior to issuance of any Building Permit, the applicant shall submit a Traffic Control and Traffic Calming plan demonstrating measures within onsite drive aisles and circulation areas. Measures shall include, but not be limited to, signs, striping, and speed bumps. Said measures shall be designed and shown on a signing and striping plan. The location and type of device(s) shall be designed and installed to the satisfaction of the Community Development and Public Works Directors.
23. **Parking Management Program** – Prior to occupancy of the project, a Parking Management Program shall be designed and submitted to ensure that proper parking assignments for tenants, guests, and employees are established within the parking structure and designated exterior spaces, as

well as address timing and procedures for moving activities and moving-related vehicles/vans for all residential units. As part of the Parking Management Program, the applicant shall provide appropriate signage. Said program shall be subject to the review and approval by the Community Development, Public Works, and Police Departments.

24. **Site Maintenance** – The Applicant shall maintain the Project site in a neat and orderly manner and not create any hazardous conditions or unsightly conditions which are visible from outside of the Project site. Only equipment and/or materials which the Community Development Director determines to substantially comply with the Project description shall be stored within the Project site during the life of the project. The City Building Inspector, Public Works Agency Grading Inspector, Fire Marshall, and/or Community Development Division staff has the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition.
25. **Contact Person** – The Applicant shall designate a contact person to respond to complaints from citizens and the City which are related to the permitted uses of this permit. The contact person's information (e.g., name and/or position title, address, business and cell phone numbers, and email addresses) of the Permittee's filed agent who receives all orders, notices, and communications regarding matters of condition and code compliance at the Project site. The contact information is to be submitted to the Community Development Department prior to issuance of a building permit.
26. **Permit Transferability** – This Special Use Permit may be transferred to another owner/lessee provided the operation is of a similar type to the approved use and provided that the new owner/lessee agrees to all imposed conditions of the existing Special Use Permit, subject to an administrative review and determination by the Community Development Department. Prior to the issuance of Certificate of Occupancy, the new owner/lessee shall sign and submit an acceptance form to the Community Development Department.
27. **Revocation of Permit** - Any verified complaints of excessive noise, foul odor, disruption to other businesses, parking requirement violation, or violation of any restriction imposed herein shall constitute grounds for initiation of proceedings to consider revocation of this Special Use Permit.

28. **Noise** – Any noise or music associated with the use of the outdoor space shall be kept to ambient noise levels. At no time shall the ambient noise levels exceed the City of Thousand Oaks Noise Ordinance section 5-5.07.

LANDSCAPING, FENCES, AND WALLS

29. **Wall Treatment** – Any proposed retaining or garden wall shall be decorative in appearance, with appropriate relief methods (including pilasters and decorative cap). Final detail drawings reflecting design, materials selections and locations shall be submitted prior to the issuance of any building permit, subject to the review and approval by the Community Development Department.
30. **Walls and Fencing** – Fences and walls shall have a maximum height of six feet. Where a solid fence or wall is provided, it shall be designed with both sides articulated, and with similar, enhanced, or complementary materials and colors to those used on the proposed building. Chain link fencing is prohibited.
31. **Retaining Walls** – All retaining walls shall be constructed of a decorative masonry material with a decorative cap or a concrete material to match the buildings subject to cut sheet detail designs submitted for the review and approval of the Community Development Division. All retaining walls shall be limited to a maximum exposed height of six (6) feet and softened by landscaping. Where such walls are exposed to public view, horizontal articulation of varying depths shall be provided to break up a linear wall appearance.
32. **Reinforcement of Existing Walls** – Any reinforcement of existing retaining walls must be reviewed by the Community Development and Public Works Departments prior to commencement to ensure that any work to be performed is in compliance with the California Building Code.

OAK TREES

33. **Oak or Landmark Tree Report** – Prior to the issuance of any grading, paving, or building permit, the applicant shall prepare and submit a detailed oak tree report to address the health status of all oak and landmark trees, to evaluate the impact of improvements and to establish a health maintenance program for all such trees on the subject property.

COMMUNITY DEVELOPMENT DEPARTMENT CONDITIONS OF APPROVAL FOR
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34. **Oak Tree Permit** – If oak trees are impacted, the applicant shall apply for an Oak Tree Permit simultaneously with the application for any other entitlement permits on the subject property to determine potential impacts and to assure preservation.
35. **Preservation** – All oak tree work shall conform to and abide by the City of Thousand Oaks, Oak Tree Preservation and Protection Guidelines Resolution No. 87-93.
36. **Grading within Protected Zone** – Any form of grading and other construction activity within the protected zone of oak trees shall be prohibited unless otherwise authorized by conditions of the permit. Prior to the issuance of any grading or building permit, any improvement which may affect oak trees shall be identified and clearly marked on the property for inspection by the Community Development Department.
37. **Mitigation Measures** – All mitigation measures outlined in the submitted Oak or Landmark Tree Report and Oak Tree Report Addendum shall be performed under the direction and supervision of the applicant's tree consultant with concurrent final inspection to be performed by the Community Development Department. A forty-eight (48) hour notice shall be given to the Community Development Department prior to the commencement of any work on the oak or landmark trees.
38. **Work Monitoring** – All of the work described in this permit shall be monitored by the applicant's tree consultant. Furthermore, it shall be the responsibility of the applicant to contact the consultant and arrange for the successful completion of these conditions. Additionally, the applicant shall be required to have his/her tree consultant submit a letter of certification within (14) days of completion to the Community Development Department, stating that all of the work was accomplished in his/her presence in accordance with the Oak Tree Report for this project, except as approved by the Community Development Department to be deleted or modified by conditions of the Oak Tree permit. Upon receipt of the letter of Certification, Staff will schedule a field inspection.
39. **Protective Fencing** – Prior to the issuance of any grading or building permit, a temporary (5) foot high chain link fence shall be placed around the protect zone of all oak trees within (100) feet of any development activity where the trees are located totally or partially on-site. Installation of said fence shall be subject to the review and approval of the Community

- Development Department and shall be removed upon completion of construction and authorization from the Community Development Department. Furthermore, it shall be the responsibility of the applicant to keep all protective fencing in a condition of good maintenance throughout the development period.
40. **Oak Tree Fence Signs** – The applicant shall place fence signs per the requirements of Resolution NO. 87-93, Oak Tree preservation and Protection Guidelines.
41. **Trenching/Grading near Oak Trees** – All trenching and related grading and construction activity within the protected zones of any oak tree shall be performed exclusively by hand tools with the authorized work to the affected oak trees to be accomplished under the review and on-site inspection to be conducted by a Certified Arborist.
42. **Fertilization/Disease Control** – All oak trees shall be evaluated for the need for deep root watering, fertilization, and insect/disease control, using proper arboricultural methods under the direction of the applicant's oak tree consultant.
43. **Oak Tree Maintenance Guidelines** – The following requirements shall apply to the on-going maintenance of oak trees:
- a) All existing oak trees on the subject property shall be retained in a healthy state with proper grading and drainage techniques, including retaining walls and ventilation devices as approved by the Community Development Department.
 - b) Positive drainage for water will be provided for all oak trees located upon the parcel and impacted by development.
 - c) Oak trees that are confirmed dead by a City Oak Tree specialist shall be removed prior to grading.
 - d) Activity that will affect the trees shall only occur in the presence of the City's oak tree specialist or the applicant's consultant. Any oak trees that are removed shall be replaced with specimen-sized oak trees in strategic locations throughout the property subject to the review of the City's Oak Tree Consultant.

LIGHTING

44. **Decorative Lighting Above Public Area** – Low-intensity lighting may be provided above and across any public exterior space.
45. **Wall Lighting** – Wall-lighting fixtures at building entrance doors, loading areas, and outdoor areas within public view areas are permitted. Lighting may be provided by decorative downward shielded light fixtures, recessed in a downward direction from projecting canopies, recessed doorways, and window openings. Decorative architectural light fixtures shall be installed on the building walls. Light fixture cut sheets shall be submitted for review and approval by the Community Development Division. Architecturally designed fixed pendant and bracket light fixtures are permitted. The use of such lighting shall be designed to create a uniform illumination generally in a downward direction and not create illumination hot spots on adjacent surfaces.
46. **On-building Light Fixtures** – The applicant shall submit catalog cut sheets and specifications for any new exterior light fixtures to the Community Development Department for review and approval prior to installation.
47. **Light Source** – Use of bright white, high-intensity LED or metal halide lighting is prohibited.
48. **Site Illumination** – Site illumination within the project shall be designed in a manner that is uniform in design and appearance. Parking lot illumination shall be designed in accordance with the City's parking lot standards as identified in the City's Building and Security Ordinance No. 1395-NS. Review and approval of such lighting shall be processed under a separate permit. Special design features within these fixtures shall include flat lenses and shielding devices to avoid an over-intensification of illumination, to direct the illumination in a downward direction (full cut-off), and to eliminate any spillover of light into adjacent properties and past the centerline of public streets.

All pole lighting utilized shall not exceed 14' in height and shall be provided with concrete pedestals finished to complement the earthtone colors of the buildings as shown on site within "Project Plan Set," as approved by the Planning Commission. All pedestals shall be painted the same color which shall complement one of the main wall colors of the buildings, subject to the review and approval of the Community Development Department.

Where pedestrian walkways occur, the height of these fixtures may be reduced in proportion to human scale.

Use of bollard-type lighting for safety adjacent to driveways is also encouraged for pedestrian traffic circulation. All lighting attached to these features shall be decorative, oriented in a downward direction, and downward shielded. Prior to issuance of a parking lot electrical permit, a photometric analysis and light fixture catalogue cuts and specifications shall be submitted to the Community Development and Building Divisions for review and approval.

SIGNS

49. **All Signs** – All site and building signage shall be designed to meet the Precise Plan of Design Guidelines (Res. No. 2006-108), and as specified in the Thousand Oaks Municipal Code. The design, color and location of all sites and building signs as well as address numbers shall be processed under separate permits. A sign permit application shall be submitted to the Community Development Department for review and approval.

BUILDING SAFETY AND CONSTRUCTION

50. **Archaeological Discovery Protocol** – If buried materials of potential archaeological significance are accidentally discovered within an undisturbed context during ground disturbance, then all work in that area shall be halted or diverted away from the discovery to a distance of 50 feet until a qualified senior archaeologist can evaluate the nature and significance of the find(s). A project communication plan will be followed, and the Lead agency (City of Thousand Oaks) will be immediately notified of the discovery.

Ground disturbance shall not resume in the locality of the discovery until consultation between the senior archaeologist, the Lead agency, the applicant's representative, and all other concerned parties, takes place and reaches a conclusion acceptable to the City of Thousand Oaks. If a significant archaeological resource is discovered during ground disturbance, complete avoidance of the find is preferred. However, further survey work, evaluation tasks, or fossil recovery of the significant resource by a qualified archaeologist may be required by the Lead agency if the resource cannot be avoided. This work shall be conducted, and paid for, by

the applicant. In response to the discovery of significant archaeological resources, the Lead agency may also add additional conditions, which may include archaeological monitoring.

Any monitoring, assessment, evaluation, fossil recovery, or other reports that are generated as a response to the discovery of a significant archaeological resource shall be submitted to the Lead agency for review and final curation as part of the project record. All such documents associated with the discovery of archaeological resources will be transmitted to the Natural History Museum of Los Angeles County at the end of project construction.

51. **Inadvertent Discovery of Human Remains** – The inadvertent discovery of human remains is always a possibility during ground disturbances; State of California Health and Safety Code Section 7050.5 addresses these findings. This code section states that in the event human remains are uncovered, no further disturbance shall occur until the County Coroner has determined the origin and disposition of the remains pursuant to California Health and Safety Code (PRC) Section 5097.98. The coroner must be notified of the find immediately, together with the City and the property owner.

If the human remains are determined to be prehistoric, the coroner will notify the California Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials and an appropriate re-internment site. The lead agency and a qualified archaeologist shall also establish additional appropriate mitigation measures for further site development, which may include additional archaeological and Native American monitoring or subsurface testing.

52. **Nesting Birds** – Any site preparation activity, including removal of vegetation, between February 1 and September 15 will require nesting bird surveys by a qualified biologist at least 5 days prior to initiation of activities. Should active nests be identified, a buffer area no less than 150 feet (300 feet for raptors) shall be fenced off until it is determined by a qualified biologist that the nest is no longer active. A report discussing the results of nesting bird surveys shall be submitted to the Community Development Department prior to ANY vegetation removal on site.

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53. **Final Plans** – Prior to the issuance of a building permit, final site, grading, floor, elevation and roof plans shall be submitted for the review and approval of the Community Development Department. Said plans shall incorporate any design change and other requirements as conditioned herein.
54. **Approval Inclusion** – This approval, in its entirety as adopted, shall be included in the initial plan-check submittal that is submitted to the Building Safety Division. The approval and conditions shall be copied directly onto plan sheets and included as part of the project plans throughout the plan-check process and shall be part of the project plans for which building permits are issued.
55. **Construction Progress** – Once permits have been issued to commence work on the improvements, it is the applicant's/owner's responsibility to diligently pursue completion per all conditions, requirements and as represented on the approved plans. Reasonable progress shall occur on a continual basis until completion to the satisfaction of the Community Development Director. Work shall not be discontinued for a period exceeding 30 days, without acceptable cause. The intent is to have the project completed in a timely fashion to prevent a potential blight from partially completed construction.
56. **Hours of Construction** – All grading and construction activities shall be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday with no construction activity permitted on Sunday. Construction workers and vehicles shall not be permitted to park on off-site properties or congregate onsite before and after the construction hours authorized herein. Likewise, warming of equipment engines shall not be permitted outside the permitted construction hours.
57. **Condition Execution** – Compliance with and execution of all conditions listed herein shall be necessary prior to obtaining final building inspection clearance and/or prior to obtaining any occupancy clearance, unless stated otherwise herein. Deviation from this requirement shall be permitted only by written consent of the Community Development Director or designee.
58. **Occupancy** – No final inspection or occupancy permit shall be granted until construction and landscaping are complete in accordance with the approved plans and the conditions required herein.

59. **Exporting/Importing Earth Materials** – Any exporting or importing of earth material and debris shall be authorized by permit issued by the Public Works Department. The builder shall comply with an approved haul route to and from the project site and shall coordinate the hauling of this material with the Public Works and Community Development Departments to minimize traffic disruptions and disturbances to the project area. The exporting and importing of any earth materials to new sites within the jurisdiction of the City of Thousand Oaks shall be subject to the review and approval by the Planning Commission unless such sites have previously been approved for development with an active entitlement, and said grading is in accordance with Public Works Department approved plan for the project.
60. **APCD Permit** – The applicant shall obtain all necessary clearances from the Ventura County Air Pollution Control District (APCD) prior to beginning any construction activity.
61. **Dust Prevention** – In order to prevent excessive amounts of fugitive dust, all materials excavated (on-site) shall be controlled with Ventura County Air Pollution Control District methods, which includes adherence to Rule 50 (Opacity) that sets opacity standards on the discharge from sources of air contaminants. This rule would apply during the construction of the proposed project, specifically grading activities, Rule 55 (Fugitive Dust) requires dust generators to implement control measures to limit the amount of dust from vehicle track-out, earth moving, bulk material handling, and truck hauling activities, and Rule 55.2 (Street Sweeping Equipment) that requires the use of PM10 efficient street sweepers for routine street sweeping and for removing vehicle track-out pursuant to Rule 55. The project is to comply with the City of Thousand Oaks Water Conservation Ordinance Requirements. Level 4 Conservation Measures prohibit potable water use for dust suppression unless approved through a City waiver. For more information see: <https://www.toakswater.org/conservationstages>.
62. **Rodent Control** – The applicant shall submit a rodent control plan to the Community Development Department prior to the issuance of any building permit, which shall include measures to protect adjacent and nearby properties from any rodent displacement during the project demolition and construction activities.
63. **Parking/Materials Storage During Construction** – A parking and materials storage plan shall be submitted to the Building Safety Division for review and approval prior to the issuance of grading permits. This requirement intends to ensure construction crew parking does not

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- negatively impact properties in the area. The applicant is encouraged to provide areas on-site for parking and material staging.
64. **Easement Changes** – The applicant must provide proof that all easements on the property are acceptable to the appropriate owners prior to the submittal of building permit applications.
65. **Title 24 Compliance** – All requirements of California Uniform Building Code, Title 24, California Code of Regulations, shall be met. A set of plans, at a scale not less than one inch equal to ten feet (1"=10') shall be submitted to the Community Development Department displaying all exterior physically disabled accessibility requirements, including point elevations and details. Prior to the issuance of building permits, the accessibility requirements for the exterior shall be approved by the Building Division for disabled access compliance.
66. **Path of Travel** – The path of travel from the accessible parking spaces to the building entrances shall meet the current standards of the California Uniform Building Code.
67. **Interior Design Approval** – The accessibility requirements for the interior of the proposed buildings will be reviewed when construction documents are submitted for plan check to the Building Division.

FIRE DEPARTMENT:

68. **Fire Department Clearance** - Applicant shall obtain VCFD Form #610 "Requirements for Construction" prior to obtaining a building permit for any new structures or additions to existing structures.
69. **Fire-Flow Verification** - Applicant shall verify that the water purveyor can provide the required fire-flow requirements by having them fill out VCFD Form #625, Fire-Flow Verification.
70. **Building Plan Review** - Building plans of all A, E, I, H, R-1, R-2 or R-4 occupancies shall be submitted, with payment for plan check, to the Fire District for review and approval prior to obtaining a building permit. This review is concurrent with Building and Safety review. Plans (Architectural, Mechanical, Electrical, Plumbing, and dedicated fire service utility with design to finish above grade) shall be submitted directly to VCFD Fire Prevention.
71. **Private Roads/Driveways** - Private roads/driveways shall comply with Public Road Standards, VCFPD Ordinance 29, and VCFPD Standard 501.
72. **Access Road Width, Private Roads/Driveways** - Private roads shall comply with Public Road Standards.
 - Access Road width of 36 feet shall be provided for residential use with parallel parking permitted on both sides.
 - Access road width of 32 feet shall be provided for residential use with parallel parking permitted on one side.
 - Access road width of 24 feet shall be required with no on-street parking permitted.
73. **Construction Access** - Prior to combustible construction, a paved all-weather access road driveway suitable for use by a 20-ton Fire District vehicle shall be installed at locations approved by the Fire District.
74. **Construction Access Utilities** - Prior to combustible construction, all utilities located within the access road and the first lift of the access road pavement shall be installed. A minimum 20-foot clear width shall remain free of obstruction during any construction activities within the development once combustible construction starts.

75. **Turning Radius** - The access road shall be of sufficient width to allow for a 40-foot centerline turning radius at all turns in the road.
76. **Vertical Clearance** - All access roads / driveways shall have a minimum vertical clearance of 13 feet 6 inches (13' 6"). Clear of building to sky.
77. **Access Point Location** – The access road / driveway shall be provided such that any portion of the exterior walls, at grade level, of a building or structure, is not more than 150 feet from fire department access as measured by an approved route around the exterior of the building.
Exception: The distance shall be permitted to be extended to 250 feet when the building is protected by an automatic fire sprinkler system in accordance with NFPA and provided with an approved access walkway leading from the road to the exterior openings around the structure.
78. **Fire Lanes** - Prior to construction the applicant shall submit two (2) site plans to the Fire District for approval of the location of fire lanes. Prior to occupancy, all fire lanes shall be posted “NO PARKING-FIRE LANE-TOW AWAY” in accordance with California Vehicle Code, the International Fire Code and current VCFPD Fire Lane Standards. All signs and or Fire Lane markings shall be within recorded access easements.
79. **Access Road Gates** - Any gates to control vehicle access are to be located to allow a vehicle waiting for entrance to be completely off the intersecting roadway. A minimum clear open width of 15 feet in each direction shall be provided for separate entry / exit gates and a minimum 20 for combined entry / exit gates. If gates are to be locked, a Knox system shall be installed. The method of gate control, including operation during power failure (battery back-up), shall be subject to review by the Fire Prevention Division. Gate plan details shall be submitted to the Fire District for approval prior to installation. A final acceptance inspection by the Fire District is required prior to placing any gate into service.
80. **Walk and Pedestrian Gates** - If gates are to be locked, a Knox system shall be installed. The method of gate control, including operation during power failure (battery back-up), shall be subject to review by the Fire Prevention Division. Gate plan details shall be submitted to the Fire District for approval prior to installation. A final acceptance inspection by the Fire District is required prior to placing any gate into service.

81. **Address Numbers (Commercial, Industrial, Multi-family buildings)** - Building address numbers, a minimum of ten inches (10") high, shall be installed prior to occupancy, shall be of contrasting color to the background, and shall be readily visible at night. Brass or gold-plated numbers shall not be used. Where structures are set back more than 150 feet from the street, larger numbers will be required so that they are distinguishable from the street. In the event a structure(s) is not visible from the street, the address number(s) shall be posted adjacent to the driveway entrance on an elevated post. Individual unit numbers shall be a minimum of 4 inches in height and shall be posted at the front and rear entrance to each unit. Additional address directional signs may be required at common building entrances and stairways.
82. **Fire Hydrant Plan** – Prior to construction, the applicant shall submit plans to the Fire District for placement of fire hydrants. On plans, show existing hydrants within 500 feet of the development. Indicate the type of hydrant, number and size of outlets.
83. **Fire Hydrant(s) Required** - Fire hydrant(s) shall be provided in accordance with current adopted edition of the International Fire Code, Appendix C and adopted amendments. On-site fire hydrants may be required as determined by the Fire District.
84. **Fire Hydrant Design (Commercial, Industrial, Multi-family buildings)** - Fire hydrants shall be installed and in service prior to combustible construction and shall conform to the minimum standard of the City of Thousand Oaks Water Works Manual and the following.
- a. Each hydrant shall be a 6-inch wet barrel design and shall have (1) 4 inch and (2) 2 ½ inch outlet(s).
 - b. The required fire flow shall be achieved at no less than 20-psi residual pressure.
 - c. Fire hydrants shall be set back in from the curb face 24 inches on center.
 - d. No obstructions, including walls, trees, light and signposts, meter, shall be placed within three (3) feet of any hydrant.
 - e. A concrete pad shall be installed extending 18 inches out from the fire hydrant.
 - f. Ground clearance to the lowest operating nut shall be between 18 to 24 inches.

85. **Hydrant Location Markers** - Prior to occupancy of any structure, blue reflective hydrant location markers shall be placed on the access roads in accordance with Fire District standards. If the final asphalt cap is not in place at time of occupancy, hydrant location markers shall still be installed and shall be replaced when the final asphalt cap is completed.
86. **Water System Plans** - Plans for water systems supplying fire hydrants and or fire sprinkler systems and not located within a water purveyor's easement, shall be submitted to the Fire District for review and approval prior to issuance of grading and/or building permits or signing of Mylar plans, whichever is first. Plans shall reflect only dedicated private fire service lines and associated appurtenances. Plans shall be construction drawings in accordance with the Ventura County Fire Code and applicable NFPA Standards and shall terminate above grade. Plan shall be design and submitted with the appropriate fees in accordance with VCFPD Standard 14.7.2.
87. **Fire Sprinklers** - All structures shall be provided with an automatic fire sprinkler system in accordance with current VCFPD Ordinance at time of building permit application.
88. **Fire Protection System Plans** - Plans for all fire protection systems (sprinklers, dry chemical, hood systems, etc.) shall be submitted, with payment for plan check, to the Fire District for review and approval prior to installation. Note: Fire sprinkler systems with 20 or more heads shall be supervised by a fire alarm system in accordance with Fire District requirements.
89. **Fire Alarm/Sprinkler Monitoring Plans** - Plans for any fire alarm system or sprinkler monitoring system shall be submitted, with payment for plan check, to the Fire District for review and approval prior to installation.
90. **Kitchen Hood Fire Protection System** – Plans for any new install or modification to an existing kitchen hood system shall be submitted, with payment for plan check, to the Fire District for review and approval prior to installation.
91. **Fire Extinguishers** - Fire extinguishers shall be installed in accordance with the International Fire Code. The placement of extinguishers shall be subject to review by the Fire District.

92. **Trash Dumpster Locations** - Commercial trash dumpsters and containers with an individual capacity of 1.5 cubic yards or greater shall not be stored or placed within 5 feet of openings, combustible walls, or combustible roof eave lines unless protected by approved automatic fire sprinklers.
93. **Fire Code Permits** - Applicant and/or tenant shall obtain all applicable Operational Fire Code Permits prior to occupancy or use of any system or item requiring an operational permit in accordance with Section 105 of the California Fire Code.
94. **Special Event Guidelines** – Each special event shall adhere to the following Ventura County Fire Protection District Special Event Guidelines.

POLICE DEPARTMENT:

95. **Door Security Hardware** – Exterior, outward opening single doors shall have the appropriate type of latch guard installed so as to prevent the violation of the latch and strike. The latch guard shall be a minimum of .125” thick and extend a minimum of six inches above and below the door latch or deadbolt. Doors utilizing rim and cylinder locks shall have heavy-duty cylinder guards installed. All outward opening exterior doors shall have hinges equipped with non-removable hinge pins or a mechanical interlock (set screws) to prevent removal of the door from the outside by removing the hinge pins. Building openings other than doors intended for customer use (bar areas) will have interior access only locking mechanisms as to prevent/dissuade illegal entry from the exterior at these points.
96. **Lighting** – Weather and breakage resistant covers shall protect all exterior lighting. Exterior lighting fixtures will be fully enclosed to minimize tampering and breakage. After hours exterior lighting shall provide sufficient illumination to allow viewing of the exterior of the buildings, all pedestrian walkways and patron gathering areas. The use of Light-Emitting Diode (LED) is preferred since LEDs provide superior illumination and color rendition. Adequate lighting (3000+ Kelvin / LED / 3 ft candles / even coverage) is to be provided throughout the property where patrons are anticipated to gather as to clearly see persons along the length of the project property from the entry point and along Village Glen to the south during hours of operation. All lights shall include shielding to prevent light pollution, spillage, and glare to roadways and all surrounding properties not owned and/or controlled by the project owners, including overhead. Project photometrics will be provided to the Thousand Oaks Police Department Community Resource Unit for review and approval.
97. **Landscaping** – Landscaping shall not cover, nor partially cover any exterior door or window. Landscaping, including trees, will not be placed directly under any overhead lighting that could cause loss of light at ground level. All landscaping will be kept trimmed in order to provide an unobstructed view of the parking areas, buildings and entry points. The standard CPTED (Crime Prevention through Environmental Design) landscaping rules of “two foot / six foot” shall apply to the property (No shrubbery shall be higher than 2 feet and lower the tree canopy shall not grow below 6 feet). This will reduce concealment areas and keep the area well-lit during darkness hours. It is suggested the developer consider the use of thorny vegetation to prevent unauthorized pedestrian access along fences and/or the property perimeter.

98. **Address Identifiers** – Location will be marked with the main street address for easy viewing from the street level.
99. **Utility Rooms and Enclosures** – All exterior utility rooms and enclosures containing electrical and telephone equipment shall be kept locked at all times.
100. **Trash Enclosures** – Exterior trash enclosures shall be kept closed and locked during non-business hours to discourage, loitering, illegal dumping and theft. Trash enclosures will be constructed to have outside visibly to reduce the possibility of camping or sleeping in the area. Decorative see through fencing and dusk till dawn lighting is suggested.
101. **Video Surveillance System** – Will be required for a 360-degree view around the parking level/areas. Additionally, video surveillance with the same below listed parameters will be required for all roof deck areas, and areas accessible to the public. The video surveillance feed will be made immediately available to the Thousand Oaks Police Department upon request in the event of a major emergency or incident. A phone number to the security company or video surveillance provider will be provided to the Thousand Oaks Police Department upon completion of the project. The surveillance system will be HD quality, have night vision capabilities and be able to retain video data for no less than 30 days. The camera system should be web based and access information provided to Ventura County Sheriff's Dispatch (ARTIC) for use in emergency situations.
102. **Roof Access** – Roof access must be secured with locking doors or any other mechanism to restrict access for non-public areas. Roof access to public areas will be controlled at the discretion of the developer but shall be locked or secured in a mechanical fashion after hours.
103. **Entry Point/Fence and Gate** – To minimize unauthorized pedestrian entry after hours, a fence and gate shall be placed along the southeast vehicle/pedestrian entry area. The fence and gate shall be constructed to allow transparency to emergency personnel at street level (decorative metal fencing is suggested). The location will have emergency access to the gate via a "Knox Box" or similar security device. Fencing shall be constructed (or maintained existing) around the perimeter of the property and will be constructed to allow outside visibility (such as decorative metal).

104. **Vehicle Safety** – Bollards, barricades, or other sufficient protection to stop a vehicle is required along the northwest portion of the property to prevent a vehicle which has left the roadway from being able to enter the property from the roadway above. Plans shall detail the vehicle safety barriers shall be submitted to the Thousand Oaks Police Department's Community Resource Unit for review and approval. Fencing from CalTrans along the frontage of US 101 shall not be diminished.
105. **Signs** – Any signs displayed must be far enough back from the street as to not impede with visibility to traffic. The street address shall be prominently displayed on the sign to assist first responders with identifying the facility. Sign mounted address shall be no less than 5 inches in height, will be of a highly contrasting color to the background on which they are attached, and shall be illuminated from dusk to dawn by a permanent, dedicated light source. Signs of the location will be placed at all vehicular and pedestrian entrances.
106. **Maintenance**—Any and all graffiti, etchings, unauthorized writing/painting/art shall be removed/abated as soon as practicable, not to exceed 72 hours. Allowing time for police reporting if desired by location management.
107. **Noise and Music** – No amplified music/announcements shall be allowed between the hours of 11 PM and 9 AM.
108. **Establishment Serving Alcohol** –
 - a) Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 9:00 AM and 11:00 PM each day of the week.
 - b) Entertainment provided shall not be audible beyond the area under control of the licensee(s).
 - c) The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. The licensee shall at all times maintain records which reflect separately the gross sale of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the Department on demand.

- d) Full meal service shall be available to patrons at all times alcoholic beverage sale privileges are being exercised.
 - e) The sale of alcoholic beverages for consumption off the premises is prohibited.
 - f) No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee(s).
 - g) Loitering is prohibited on these premises or this area under the control of the licensee(s).
 - h) The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.
109. **Employee Training** – Employees involved in the sale or service of alcoholic beverages shall provide evidence that they have either:
- a) Completed training given by the State of California Department of Alcoholic Beverage Control (ABC), Santa Barbara District Office administered “Leadership and Education in Alcohol and Drugs” (LEAD) Program in the form of an ABC issued certificate; or,
 - b) Have completed an accepted equivalent by the ABC, Santa Barbara District Office to ensure proper distribution of beer, wine and distilled spirits to adults of legal age. If any prospective employee designated to sell alcoholic beverages does not currently have such training, then,
 - c) The ABC licensed proprietors shall confirm with the Police Department’s Community Resource Unit, within 30 days of the Planning Commission’s entitlement approval, that a date certain has been scheduled with the local ABC office to complete the LEAD course.
 - d) It shall be the responsibility of the applicant and/or the restaurant management staff to provide the employees with the knowledge and skills that will enable them to comply with their responsibilities under state and city laws and ordinances.
110. **Other Securing Concerns** - The business will correct any safety or security concerns upon written notice by the Thousand Oaks Police Department.

PUBLIC WORKS DEPARTMENT:

GENERAL

111. **Mandatory Organics Recycling** – The applicant/owner is hereby notified that California State law AB1826 and SB 1383 require businesses, schools, hospitals, restaurants, government buildings and other commercial properties, including multi-family dwellings of 5 units or more, that generate two cubic yards or more of commercial solid waste per week (trash, recycle, organics, in aggregate) to separate and recycle organic waste and arrange for organic waste collection service. Organic waste includes food waste, landscape and pruning waste, non-hazardous wood waste, and food-soiled paper. Collection containers must be provided (front of house, back of house, trash enclosure) and shown on the required Operational Recycling Plan.
- In addition, SB 1383 requires that Tier 1 (example: supermarket) and Tier 2 (example: restaurant) edible food waste generators arrange to recover the maximum amount of edible food that would otherwise be disposed and participate in the City's food recovery program, donating the edible food to a food recovery organization. (For more details, refer to Title 6, Chapter 2 of Thousand Oaks Municipal Code, "Regulations for Solid Waste, Organic Waste, and Recyclable Materials Collection, Processing, and Disposal").
112. **Solid Waste Enclosure** – A separate permit will be required for the trash enclosure(s). To determine the enclosure(s) size and number of containers required and frequency of collection the applicant must meet with Athens (waste hauler) and city staff to discuss the project.
113. **Operational Diversion Plan** – Prior to occupancy, in accordance with the City's Solid Waste Regulations, each applicant and/or owner must submit an Operational Diversion Plan pertaining to operational solid waste management after occupancy. A completed Plan must be submitted for review and approval by the Public Works Department. A Certificate of Occupancy cannot be issued by the Community Development Department until the form is completed and processed by the Public Works Department.
114. **National Pollutant Discharge Elimination System Site Construction** – All construction activity shall incorporate due diligence to safeguard against runoff of any sediment, vegetative debris, sawcut effluent, construction materials and other polluting matter into the street, storm drain, parking lot, and/or associated drainage conveyances (MC 7-8.302).

TRAFFIC

115. **Traffic Mitigation Fees** – The applicant acknowledges that the subject development will impact traffic and agrees to provide for the mitigation by depositing with the City of Thousand Oaks the appropriate non-refundable fees no later than prior to the issuance of building permits.
